

February 20, 2001

REGULAR BUSINESS MEETING -- FEBRUARY 20, 2001

PRESENT: Chairman C. Crandle Bray, Vice Chairman Virginia Burton Gray, Commissioner Gerald A. Matthews, Commissioner J. Charley Griswell, Commissioner Carl Rhodenizer, and Clerk Margarete A. Swaim.

1. Chairman Bray called the meeting to order.
2. Invocation by Commissioner Rhodenizer. Pledge of allegiance to the flag led by Chairman Bray.
3. Adoption of agenda.

Motion by Commissioner Matthews, second by Commissioner Rhodenizer, to amend the agenda by deferring item number seven (Resolution 2001-13) to the Work Session of March 13; deferring a portion of item number fifteen (Commissioner Rhodenizer's appointment to the Building Board of Adjustments and Appeals); deferring a portion of item number six (Director of Finance's request to write off certain fixed assets) to the Work Session of March 13; and, to adopt the agenda, as amended, as the official agenda of the Regular Business Meeting of February 20, 2001. Vote unanimous.

4. Motion by Commissioner Rhodenizer, second by Commissioner Matthews, to approve the minutes of the Regular Business Meeting of February 6, 2001 and the Work Session of February 13, 2001, as presented, as all Commissioners have copies before them for review. Vote unanimous.

5. Chuck Cooke, Director of Central Services, presented items for consideration which resulted in the following action being taken:

(1) Motion by Commissioner Rhodenizer, second by Vice Chairman Gray, to approve the purchase of an EMS ambulance unit from a previously approved bid (bid of 7-26-99, approved by the Board 8-17-99) awarded to Wheeled Coach Corporation, Winter Park, Florida. The base bid was increased by \$1,343.00 to cover a 2001 chassis; total purchase amount of \$90,243.00. Vote unanimous.

(2) Motion by Commissioner Matthews, second by Vice Chairman Gray, to approve the purchase of a Ford Crown Victoria sedan from Southlake Ford, under a current Georgia State contract without bidding, in the total purchase amount of \$19,697.00. This vehicle is for Transportation and Development. Vote unanimous.

(3) Motion by Commissioner Rhodenizer, second by Commissioner Matthews, to approve the purchase of a Ford Econoline Cargo Van E350 for the Police Department from Southlake Ford, under a current Georgia State contract without bidding, in the total amount of \$21,079.00. A special chassis is being bid separately for this van and will be brought back to the Board for approval. This item is in the budget. Vote unanimous.

(4) Motion by Commissioner Matthews, second by Commissioner Rhodenizer, to approve the purchase of a Ford Econoline E350 Cargo Van for the Sheriff's Department from Southlake Ford, under a current Georgia State contract without bidding, in the total amount of \$19,974.00. A special chassis is being bid separately and will be brought back to the Board for approval. This item is in the budget. Vote unanimous.

(5) Motion by Vice Chairman Gray, second by Commissioner Rhodenizer, to accept the low bid of Southeastern Bus Sales, Riverdale, Georgia for a shuttle bus (2001 model, 25 passenger, El Dorado Aerotech 280 Coach) for the Senior Center, in the total purchase amount of \$49,696.00. Vote unanimous.

(6) Motion by Commissioner Griswell, second by Vice Chairman Gray, to accept the low bid of Environmental Pumping and Repair Service, McDonough, Georgia covering an indefinite quantity annual contract for sanitary pumping services for Building and Maintenance. Vote unanimous.

(7) Motion by Commissioner Rhodenizer, second by Commissioner Griswell, to accept the low bid of Piedmont Geotechnical Consultants, Inc., Stockbridge, Georgia in the amount of \$18,265.00 covering construction materials testing services for the courthouse renovation project. Vote unanimous.

6. Charles Pruett, Acting Deputy Comptroller, presented items for consideration which resulted in the following action being taken:

Mr. Pruett, on behalf of Dan Martin, Director of Finance, conveyed Mr. Martin's appreciation for all the cards, prayers and condolences which have been sent to him during his current hospitalization.

Mr. Pruett stated that Mr. Martin is doing exceedingly well and expects to be out of the hospital in a few days.

Mr. Pruett deferred to Steve Chapman, Budget Manager, to present the following budget items:

REQUEST FOR BUDGET AMENDMENT - EMS

DECREASE FUND BALANCE:

App. from Fund Balance	101-6501-7000	\$245,440
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INCREASE EXPENSE:

Regular Salaries	101-3201-4000	\$ 80,170
Pension	101-3201-4020	9,741
FICA	101-3201-4021	6,133
Group	101-3201-4022	8,100
Worker's Compensation	101-3201-4023	1,603
Medical Supplies	101-3201-4375	13,700
Medical Equipment Supplies	101-3201-4380	3,700
Safety Supplies	101-3201-4420	13,500
Uniform Allowance	101-3201-4790	4,050
CO-Autos and Trucks	101-3201-6020	90,243
CO-Other Mach. and Equip.	101-3201-6040	<u>14,500</u>
		\$245,440

REQUEST FOR BUDGET AMENDMENT - CAPITAL PROJECT FUND

SPECIAL PURPOSE LOCAL OPTION SALES TAX FUND:

INCREASE REVENUE:

Decrease Fund Balance	295-7005-7000	\$3,333,066
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INCREASE EXPENSE:

Appropriation to
Capital Project Fund 295-7005-7502 \$3,333,066

CAPITAL PROJECTS FUND:

INCREASE REVENUE:

Appropriations from
Sales Tax Fund 305-7005-7003 \$3,333,066

INCREASE EXPENSE:

CO-Bldgs. (New Facility) 305-7005-6010 \$2,383,066
CO-Bldgs. (Old Courthouse
Restoration) 305-6201-6010 950,000
\$3,333,066

Commissioner Griswell asked if this is extra money the Board has to set aside. Chairman Bray stated that this is not extra money. This is all within the sales tax fund and is for the changes that have been done along the way, such as, additional Fire Marshal devices, bunks in housing, additional telephones, and additional courtroom soundproofing.

Commissioner Griswell, addressing Joe Lee, Lee Design and Management Group, stated that the courtroom soundproofing has been paid for one time. Commissioner Griswell said that someone had to have made a mistake because we have courtrooms that are not soundproof. Courtrooms, jury rooms and the grand jury rooms must be soundproof. Commissioner Griswell said that the new facility has courtrooms that are not soundproof and the County is now being asked to spend \$200,000 to go back and remedy the problem. He said that a mistake was made somewhere - either the architects didn't include it in the drawings or the work was simply not done.

Commissioner Griswell asked if Mr. Lee had a full set of plans and specifications before starting the project or did the architects just supply section by section as the work progressed.

Mr. Lee stated that there was a full set of plans with specifications and a guaranteed maximum price.

Commissioner Griswell stated that either the architects made a mistake and did not put soundproofing in the plans or Turner Construction made a mistake by not catching the oversight. A mistake was made and now the County is being asked to pay for the mistake.

Commissioner Griswell pointed out that this is not the first jail or courthouse complex Lee Design and Management has built.

General discussion followed.

Mr. Lee stated that a separate consultant was hired to test the wall between the courtrooms and the holding cells. The wall met the specifications that HOK had on the plans. The architect and the contractor have to work together now to solve the problem. The matter of who is to blame will be addressed later.

Mr. Lee stated that the \$200,000 for soundproofing has not been spent.

Commissioner Griswell said he couldn't see it that way. The \$200,000 was spent when the Board of Commissioners gave the okay to build the facility as a turn key job. He said the architects did not include within the plans what was really needed for the facility.

Commissioner Griswell said that if answers and explanations concerning the matter do not get better, he will be looking for someone to repay the \$200,000.

Chairman Bray said that plans and specifications were all completed prior to the project being started. The building has been built according to the plans and specifications. There really isn't a sound problem. There is an irritation when commodes are flushed in the holding cells. You can barely hear water running. Chairman Bray stated that it is his understanding that everything the County paid for is within the walls. Chairman Bray stated that the County got what it asked for.

Commissioner Griswell said that the County didn't ask for anything except for the architect to draw up what was needed. That was not done and the ball was dropped. He is not satisfied with this additional \$200,000 expense.

Chairman Bray stated that the County will file an error of admission claim if the consultant determines that some error or errors were made.

Commissioner Griswell said that he wanted to be on the record as stating that he had no problem with additional phone systems, cafeteria, bunks, etc. But he was concerned that Fire Marshal requirements were not understood and that the soundproofing is lacking. Commissioner Griswell stated that he knows the additional improvements are necessary but it would have been less expensive to have included all these things at the time of construction instead of going back now and adding same.

Chairman Bray stated that everything was consolidated in this budget amendment in an attempt to wrap everything up.

Discussion followed on the additional phone systems and the multimedia boards. Commissioner Griswell stated that it appears to him that the County has paid for something it didn't get - the soundproofing. He said that to him the soundproofing problem rests with the architect.

Mr. Lee stated that the part of the project where fault or no fault is determined has not been completed as yet. The \$3,000,000 has not been paid as yet, it is being held.

Commissioner Griswell stated that he knew who was at fault and it isn't him or the people he represents. It is going to be hard for anyone to explain that he has to accept additional expenses of \$200,000 for soundproofing.

Chairman Bray stated that the soundproofing problem needs to be fixed. It has not been determined yet what it will take to fix it. Where the fault lies is unknown at this time. Chairman Bray asked that the Board move on with the improvements and, if fault is determined, a claim will be filed and the matter will be brought back before the Board.

Commissioner Griswell agreed with moving on with the matter but stated it will be hard for anyone to make him believe that the County should pay the additional \$200,000 for soundproofing.

REQUEST FOR BUDGET AMENDMENT - FEDERAL DRUG FUND

INCREASE REVENUE:

Federal Condemnations 220-3101-3421 \$ 2,000

INCREASE EXPENSE:

CO-Autos 220-2801-6020 \$ 2,000

REQUEST FOR BUDGET AMENDMENT - LIBRARY SERVICE

INCREASE REVENUE:

Library Misc. Revenue 101-5001-3720-10000-9DN31 \$ 9,811

INCREASE EXPENSE:

Other Contract Fees 101-5001-4140-10000-9DN31 \$ 3,500
Office Supplies 101-5001-4390-10000-9DN31 6,311
\$ 9,811

REQUEST FOR BUDGET AMENDMENT - E-911

INCREASE REVENUE:

Gifts and Donations 215-3301-7005-10000-9DN01 \$ 250

INCREASE EXPENSE:

Other Rental 215-3301-4230-10000-9DN01 \$ 80
Office Supplies 215-3301-4390-10000-9DN01 170
\$ 250

REQUEST FOR BUDGET AMENDMENT - TRANSPORTATION AND DEVELOPMENT

INCREASE REVENUE:

Miscellaneous Revenue 101-4040-3720-10000-9DN50 \$105,423
Cities/County Revenue 101-4040-3270-10000-9DN50 4,500
Miscellaneous Revenue 101-4040-3720 2,556
\$112,479

INCREASE EXPENSE:

RM-Signal Lighting 101-4040-4860-10000-9DN50 \$ 75,923
Road Signs/Delineators 101-4040-4415-10000-9DN50 16,556
CO-Other Mach/Equipment 101-4040-6040-10000-9DN50 20,000
\$112,479

Motion by Commissioner Matthews, second by Commissioner Rhodenizer, to approve the above listed requests for budget amendments with a caveat that the additional courtroom soundproofing matter in the amount of \$200,000 be brought back before the Board when, and if, there is a determination of fault.
Vote unanimous.

7. Resolution 2001-13 to provide for the adoption of the Clayton County Land Development Guidelines.

No action. This item was deferred to the Work Session of March 13, 2001.

8. Motion by Vice Chairman Gray, second by Commissioner Rhodenizer, to adopt Resolution 2001-14 providing for the establishment of the legal holidays to be observed by the government of Clayton County during the period of July 1, 2001 through June 30, 2002; to request that all elected officials of Clayton County observe such legal holidays; to provide for the observance of a personal holiday to be selected by each County employee; to repeal conflicting Resolutions; to provide an effective date of this Resolution; and for other purposes. Vote unanimous.

STATE OF GEORGIA

COUNTY OF CLAYTON

RESOLUTION NO. 2001 - 14

A RESOLUTION PROVIDING FOR THE ESTABLISHMENT OF THE LEGAL HOLIDAYS TO BE OBSERVED BY THE GOVERNMENT OF CLAYTON COUNTY DURING THE PERIOD OF JULY 1, 2001 THROUGH JUNE 30, 2002; TO REQUEST THAT ALL ELECTED OFFICIALS OF CLAYTON COUNTY OBSERVE SUCH LEGAL HOLIDAYS; TO PROVIDE FOR THE OBSERVANCE OF A PERSONAL HOLIDAY TO BE SELECTED BY EACH COUNTY EMPLOYEE; TO REPEAL CONFLICTING RESOLUTIONS; TO PROVIDE AN EFFECTIVE DATE OF THIS RESOLUTION; AND FOR OTHER PURPOSES.

NOW THEREFORE BE IT RESOLVED BY THE BOARD OF COMMISSIONERS

OF CLAYTON COUNTY AND IT IS HEREBY RESOLVED

Section 1. The following dates are hereby to be observed as legal holidays for all offices and departments under the jurisdiction of the Clayton County Board of Commissioners during the period of July 1, 2001 through June 30, 2002:

Wednesday, July 4, 2001 in observance of Independence Day
Monday, September 3, 2001 in observance of Labor Day
Thursday, November 22, 2001 in observance of Thanksgiving Day
Friday, November 23, 2001 in observance of the Thanksgiving holiday
Monday, December 24, 2001 in observance of Christmas holiday
Tuesday, December 25, 2001 in observance of Christmas Day
Tuesday, January 1, 2002 in observance of New Year's Day
Monday, January 21, 2002 in observance of Dr. Martin Luther King, Jr.'s birthday
Monday, May 27, 2002 in observance of National Memorial Day

Personal Holiday in observance of such day as each County employee may determine

In the selection of a Personal Holiday, each County employee shall request the date he or she wishes to observe during the July 1, 2001 through June 30, 2002 County fiscal year. Reasonable advance notice of the requested day should be given to allow the Elected Official or Department Director the opportunity to process the request. The Elected Official or Department Director should make every effort to grant the request, provided operational efficiency of the office or department is not compromised. In the event a limited number of employees are allowed to observe any given day as his or her Personal Holiday, which number is exceeded by the number of requests received, priority for granting the Personal Holiday shall be based upon the date the request is received, as the primary determinative criteria, with seniority being the secondary determinative criteria. The Personal Holiday must be observed during the July 1, 2001 through June 30, 2002 County fiscal year or such Holiday will be forfeited for that year.

Section 2. The Elected Officials of Clayton County are hereby requested to observe the above dates as the legal holidays and allow the observance of the Personal Holiday by each employee as prescribed for their respective offices during the period of July 1, 2001 through June 30, 2002.

Section 3. All resolutions, or parts thereof, which conflict with the provisions of this resolution are hereby repealed.

Section 4. The effective date of this Resolution shall be when approved by the Board of Commissioners.

SO RESOLVED, this the 20th day of February, 2001.

CLAYTON COUNTY BOARD OF COMMISSIONERS

/s/ C. CRANDLE BRAY, CHAIRMAN

/s/ VIRGINIA BURTON GRAY, VICE CHAIRMAN

/s/ GERALD A. MATTHEWS, COMMISSIONER

/s/ J. CHARLEY GRISWELL, COMMISSIONER

/s/ CARL RHODENIZER, COMMISSIONER

ATTEST:

/s/ MARGARETTE A. SWAIM

9. Motion by Commissioner Rhodenizer, second by Commissioner Matthews, to adopt Resolution 2001-15 authorizing Clayton County to set aside access fees charged against certain property owners located at Clayton County Airport - Tara Field; to authorize the Finance Director to adjust its books and records to accomplish the intent of this Resolution; to provide an effective date of this Resolution; and for other purposes. Vote unanimous.

STATE OF GEORGIA

COUNTY OF CLAYTON

RESOLUTION NO. 2001 - 15

A RESOLUTION AUTHORIZING CLAYTON COUNTY TO SET ASIDE ACCESS FEES CHARGED AGAINST CERTAIN PROPERTY OWNERS LOCATED AT CLAYTON COUNTY AIRPORT - TARA FIELD; TO AUTHORIZE THE FINANCE DIRECTOR TO ADJUST ITS BOOKS AND RECORDS TO ACCOMPLISH THE INTENT OF THIS RESOLUTION; TO PROVIDE AN EFFECTIVE DATE OF THIS RESOLUTION; AND FOR OTHER PURPOSES.

WHEREAS, the County previously authorized the implementation of access and fuel flow fees against owners of property located at the Clayton County Airport - Tara Field ("Tara Field"); and

WHEREAS, the Superior Court of Clayton County issued a ruling vacating the fees structure as being unreasonable in light of the restrictive covenants under which the County is bound; and

WHEREAS, the Board of Commissioners wishes to have the fees shown on the books and records of the County set aside in accordance with the ruling of the Court.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS

OF CLAYTON COUNTY, GEORGIA AND IT IS HEREBY RESOLVED

Section 1. The Board of Commissioners hereby sets aside access fees charged to James Clack, doing business as Aircraft Salvage of Ga., Inc. in the amount of \$37,271.85; and Industrial Refrigeration Services, Inc. in the amount of \$3,906.00. Further, the Board of Commissioners hereby authorizes the Department of Finance to adjust its books and records to accomplish the intent of this Resolution.

Section 2. This Resolution shall be effective on the date of its approval by the Board of Commissioners.

SO RESOLVED, this the 20th day of February, 2001.

CLAYTON COUNTY BOARD OF COMMISSIONERS

/s/ C. CRANDLE BRAY, CHAIRMAN

/s/ VIRGINIA BURTON GRAY, VICE CHAIRMAN

/s/ GERALD A. MATTHEWS, COMMISSIONER

/s/ J. CHARLEY GRISWELL, COMMISSIONER

/s/ CARL RHODENIZER, COMMISSIONER

ATTEST:

/s/ MARGARETTE A. SWAIM

10. Motion by Vice Chairman Gray, second by Commissioner Rhodenizer, to adopt Resolution 2001-16 authorizing Clayton County to enter into a Lease Agreement with Southern Crescent Habitat for Humanity, Inc. providing for the lease of County property located on Flint River Road, Jonesboro, Georgia; to authorize the Chairman to execute the Lease Agreement, and otherwise to perform all acts necessary to accomplish the intent of the Resolution; to provide an effective date of this Resolution; and for other purposes. Vote unanimous.

STATE OF GEORGIA

COUNTY OF CLAYTON

RESOLUTION NO. 2001- 16

A RESOLUTION AUTHORIZING CLAYTON COUNTY TO ENTER INTO A LEASE AGREEMENT WITH SOUTHERN CRESCENT HABITAT FOR HUMANITY, INC. PROVIDING FOR THE LEASE OF COUNTY PROPERTY LOCATED ON FLINT RIVER ROAD, JONESBORO, GEORGIA; TO AUTHORIZE THE CHAIRMAN EXECUTE THE LEASE AGREEMENT, AND OTHERWISE TO PERFORM ALL ACTS NECESSARY TO ACCOMPLISH THE INTENT OF THE RESOLUTION; TO PROVIDE AN EFFECTIVE DATE OF THIS RESOLUTION; AND FOR OTHER PURPOSES.

WHEREAS, the County owns certain property located at 170 Flint River Road, Jonesboro, Georgia being improved with a building formerly used as a fire station; and

WHEREAS, the building is not generating any income nor is it suitable for any County purpose at the present time; and

WHEREAS, Southern Crescent Habitat for Humanity, Inc. desires to lease the property to be used for purposes consistent with its organization mission; and

WHEREAS, the Board of Commissioners deems it in the best interest of Clayton County, and the County will best be served by entering into a lease agreement with Southern Crescent Habitat for Humanity, Inc. for the stated purpose.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS

OF CLAYTON COUNTY, GEORGIA AND IT IS HEREBY RESOLVED

Section 1. The Board of Commissioners hereby authorizes Clayton County to enter into a Lease Agreement with Southern Crescent Habitat for Humanity, Inc. providing for the lease of property located at 170 Flint River Road, Jonesboro, Georgia. The Lease Agreement shall be in substantially the form attached hereto as Exhibit "A", subject to such minor changes, insertions or deletions as the Chairman of the Board of Commissioners may approve. Further, the Board of Commissioners hereby authorizes the Chairman to execute the Lease Agreement, and otherwise to perform all acts necessary to accomplish the intent of this Resolution.

Section 2. This Resolution shall be effective on the date of its approval by the Board of Commissioners.

SO RESOLVED, this the 20th day of February, 2001.

CLAYTON COUNTY BOARD OF COMMISSIONERS

/s/ C. CRANDLE BRAY, CHAIRMAN

/s/ VIRGINIA BURTON GRAY, VICE CHAIRMAN

/s/ GERALD A. MATTHEWS, COMMISSIONER

/s/ J. CHARLEY GRISWELL, COMMISSIONER

/s/ CARL RHODENIZER, COMMISSIONER

ATTEST:

/s/ MARGARETTE A. SWAIM

11. Motion by Commissioner Rhodenizer, second by Vice Chairman Gray, to adopt Resolution 2001-17 authorizing Clayton County to enter into a contract with the Georgia Public Service Commission, and in accordance therewith, accept grant funds to be used in connection with the Motor Carrier Safety Assistance Program; to authorize the Chairman to execute the Grant Award Contract, and otherwise to perform all acts necessary to accomplish the intent of this Resolution; to authorize the Finance Director to amend the Police Department's budget to reflect the required appropriation, or in the alternative to add the necessary appropriation to the Police Department's budget; to provide an effective date of this Resolution; and for other purposes. Vote unanimous.

STATE OF GEORGIA

COUNTY OF CLAYTON

RESOLUTION NO. 2001 - 17

A RESOLUTION AUTHORIZING CLAYTON COUNTY TO ENTER INTO A CONTRACT WITH THE GEORGIA PUBLIC SERVICE COMMISSION, AND IN ACCORDANCE THEREWITH, ACCEPT GRANT FUNDS TO BE USED IN CONNECTION WITH THE MOTOR CARRIER SAFETY ASSISTANCE PROGRAM; TO AUTHORIZE THE CHAIRMAN TO EXECUTE THE GRANT AWARD CONTRACT, AND OTHERWISE TO PERFORM ALL ACTS NECESSARY TO ACCOMPLISH THE INTENT OF THIS RESOLUTION; TO AUTHORIZE THE FINANCE DIRECTOR TO AMEND THE POLICE DEPARTMENT'S BUDGET TO REFLECT THE REQUIRED APPROPRIATION, OR IN THE ALTERNATIVE TO ADD THE NECESSARY APPROPRIATION TO THE POLICE DEPARTMENT'S BUDGET; TO PROVIDE AN EFFECTIVE DATE OF THIS RESOLUTION; AND FOR OTHER PURPOSES.

WHEREAS, the County recently submitted to the Georgia Public Service Commission ("GSC") its Grant Application requesting grant funds to be used in connection with the Motor Carrier Safety Assistance Program for the County's Police Department; and

WHEREAS, GSC has approved and allocated grant funds in the amount of \$170,000.00 to which the County will contribute matching funds in the amount of \$42,500.00; and

WHEREAS, the Board of Commissioners deems it in the best interest of Clayton County, and the County will best be served by entering into a Contract with the Georgia Public Service Commission providing for the acceptance of grant funds for the above-stated purpose.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS

OF CLAYTON COUNTY, GEORGIA AND IT IS HEREBY RESOLVED

Section 1. The Board of Commissioners hereby authorizes the County to enter into a Contract with the Georgia Public Service Commission, and in accordance therewith accept grant funds in the amount of \$170,000.00 to be used in connection with the Motor Carrier Safety Assistance Program. Further, the Board of Commissioners hereby authorizes the Chairman to execute the Contract, and otherwise to perform all acts necessary to accomplish the intent of this Resolution. Additionally, the Board authorizes the Finance Director to amend the Police Department's budget to reflect the required appropriation, or in the alternative to add the necessary appropriation to the Police Department's budget. The Contract is attached hereto.

Section 2. This Resolution shall be effective on the date of its approval by the Board of Commissioners.

SO RESOLVED, this the 20th day of February, 2001.

CLAYTON COUNTY BOARD OF COMMISSIONERS

/s/ C. CRANDLE BRAY, CHAIRMAN

/s/ VIRGINIA BURTON GRAY, VICE CHAIRMAN

/s/ GERALD A. MATTHEWS, COMMISSIONER

/s/ J. CHARLEY GRISWELL, COMMISSIONER

/s/ CARL RHODENIZER, COMMISSIONER

ATTEST:

/s/ MARGARETTE A. SWAIM

12. Donald M. Comer, Staff Attorney, presented Resolution 2001- 18 authorizing Clayton County to enter into Articles of Agreement with the Forest Park Kiwanis Foundation providing for the terms and conditions under which the Kiwanis Fair will be held at the Clayton County International Park.

Chairman Bray stated that, subsequent to the last work session, he met with the Neighborhood Advisory Group and Ms. Nancy Walden, representative for Clayton County Kiwanians. The meeting was for the purpose of reviewing plans for the Kiwanis Fair and receiving input from the Neighborhood Advisory Group. Five homeowners associations were represented. Four of the five representatives were in favor of the fair being sanctioned and held at International Park this year. The representatives suggested that there

be a concerted effort with Henry County to hold the fair next year at the Atlanta Motor Speedway race track.

Motion by Commissioner Rhodenizer, second by Commissioner Matthews, to adopt Resolution 2001-18 authorizing Clayton County to enter into Articles of Agreement with the Forest Park Kiwanis Foundation providing for the terms and conditions under which the Kiwanis Fair will be held at the Clayton County International Park; to authorize the Chairman to execute the Agreement, and otherwise to perform all acts necessary to accomplish the intent of this Resolution; to provide an effective date of this Resolution; and for other purposes.

Commissioner Griswell suggested that several more meetings be held with the Neighborhood Advisory Group in order to come up with ideas for future fairs.

Chairman Bray stated that the race track would offer more visibility for the fair.

Vice Chairman Gray stated that she wanted to go on record as totally disagreeing with the idea of taking something for Clayton County all the way to Henry County. She stated that the fair should not go any further south and be moved further away from constituents.

Chairman Bray stated that additional meetings will be held with the Neighborhood Advisory Group and Ms. Walden in order to plan for next year's fair.

Chairman Bray called for a vote on the motion and second to adopt Resolution 2001-18. The vote was unanimous.

STATE OF GEORGIA

COUNTY OF CLAYTON

RESOLUTION NO. 2001 - 18

A RESOLUTION AUTHORIZING CLAYTON COUNTY TO ENTER INTO ARTICLES OF AGREEMENT WITH THE FOREST PARK KIWANIS FOUNDATION PROVIDING FOR THE TERMS AND CONDITIONS UNDER WHICH THE KIWANIS FAIR WILL BE HELD AT THE CLAYTON COUNTY INTERNATIONAL PARK; TO AUTHORIZE THE CHAIRMAN TO EXECUTE THE AGREEMENT, AND OTHERWISE TO PERFORM ALL ACTS NECESSARY TO ACCOMPLISH THE INTENT OF THIS RESOLUTION; TO PROVIDE AN EFFECTIVE DATE OF THIS RESOLUTION; AND FOR OTHER PURPOSES.

WHEREAS, Clayton County has traditionally endorsed the work of various charitable organizations located and conducting business in Clayton County for the benefit of the County's citizens; and

WHEREAS, the Forest Park Kiwanis Foundation is one such organization committed to eleemosynary purposes for children and the community; and

WHEREAS, the Forest Park Kiwanis Foundation is organizing a County Fair that is proposed to be held on April 16-21, 2001, at Clayton County International Park; and

WHEREAS, the County deems it in its best interests and finds that the County will be best served by entering into an agreement to allow said fair for the benefits to the children of Clayton County and its citizens.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS

OF CLAYTON COUNTY, GEORGIA AND IT IS HEREBY RESOLVED

Section 1. The Board of Commissioners hereby authorizes Clayton County to enter into Articles of Agreement with the Forest Park Kiwanis Foundation providing for the terms and conditions under which the Kiwanis Fair will be held at the Clayton County International Park. Further, the Board of Commissioners hereby authorizes the Chairman to execute the Articles of Agreement, and otherwise to do all necessary to accomplish the intent of this Resolution. A copy of the Articles of Agreement are attached hereto.

Section 2. This Resolution shall be effective on the date of its approval by the Board of Commissioners.

SO RESOLVED, this the 20th day of February, 2001.

CLAYTON COUNTY BOARD OF COMMISSIONERS

/s/ C. CRANDLE BRAY, CHAIRMAN

/s/ VIRGINIA BURTON GRAY, VICE CHAIRMAN

/s/ GERALD A. MATTHEWS, COMMISSIONER

/s/ J. CHARLEY GRISWELL, COMMISSIONER

/s/ CARL RHODENIZER, COMMISSIONER

ATTEST:

/s/ MARGARETTE A. SWAIM

13. Donald M. Comer, Staff Attorney, presented Resolution 2001- 19 authorizing the Board of Commissioners to grant authority to the County's Parks and Recreation Department to submit a pre-application to the Georgia Department of Natural Resources providing for grant funds to be used in connection with the construction of a swimming pool complex at Lovejoy Park.

Chairman Bray verified with Gary Dukes, Director of Parks and Recreation, that the County could apply for two grants instead of one.

Discussion followed on the fact that grant funds will be in the amount of \$75,000 and that the estimated cost of the project will be approximately \$600,000. The \$600,000 amount is to cover the pool and support facilities - dressing rooms, restrooms, office facility, etc.

Vice Chairman Gray asked that the resolution be amended to delete “at Lovejoy Park” and that the amended resolution reflect that two grants are being applied for in order to construct two pools, in the south end of the County and one in the north end of the County.

Motion by Vice Chairman Gray, second by Commissioner Griswell, to amend Resolution 2001-19; and, to adopt Resolution 2001-19 as amended as follows: A Resolution authorizing the Board of Commissioners to grant authority to the County’s Parks and Recreation Department to submit pre-applications to the Georgia Department of Natural Resources providing for the grant funds to be used in connection with the construction of two swimming pool complexes, one to be located in the north area and the other in the south area of Clayton County; to authorize the Chairman to execute any document, and otherwise to perform all acts necessary to accomplish the intent of this Resolution; to provide an effective date of this Resolution; and for other purposes. Vote unanimous.

STATE OF GEORGIA
COUNTY OF CLAYTON

RESOLUTION NO. 2001 - 19

A RESOLUTION AUTHORIZING THE BOARD OF COMMISSIONERS TO GRANT AUTHORITY TO THE COUNTY’S PARKS AND RECREATION DEPARTMENT TO SUBMIT PRE-APPLICATIONS TO THE GEORGIA DEPARTMENT OF NATURAL RESOURCES PROVIDING FOR GRANT FUNDS TO BE USED IN CONNECTION WITH THE CONSTRUCTION OF TWO SWIMMING POOL COMPLEXES, ONE TO BE LOCATED IN THE NORTH AREA AND THE OTHER IN THE SOUTH AREA OF CLAYTON COUNTY; TO AUTHORIZE THE CHAIRMAN TO EXECUTE ANY DOCUMENT, AND OTHERWISE TO PERFORM ALL ACTS NECESSARY TO ACCOMPLISH THE INTENT OF THIS RESOLUTION; TO PROVIDE AN EFFECTIVE DATE OF THIS RESOLUTION; AND FOR OTHER PURPOSES.

WHEREAS, the County’s Parks and Recreation desires to submit a pre-application to the Georgia Department of Natural Resources (Land and Water Conservation fund) for grant funds to be used in connection with the construction of a swimming pool complex at Lovejoy Park; and

WHEREAS, it appears to be in the best interest of the citizens of Clayton County, and the County will best be served by submitting its pre-application to the Georgia Department of Natural Resources for the purpose above-mentioned.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS

OF CLAYTON COUNTY, GEORGIA AND IT IS HEREBY RESOLVED

Section 1. The Board of Commissioners hereby authorizes the County’s Park and Recreation Department to submit two pre-applications to the Georgia Department of Natural Resources for grant funds to be used in connection with the construction of a swimming pool complexes, one to be located in the north area and the other in the south area of Clayton County. Further, the Board of Commissioners hereby authorizes the Chairman to execute any document and to do all other acts necessary to accomplish the intent of this Resolution. The Pre-Application Form is attached hereto.

Section 2. The effective date of this Resolution shall be when approved by the Board of Commissioners of Clayton County.

SO RESOLVED, this the 20th day of February, 2001.

CLAYTON COUNTY BOARD OF COMMISSIONERS

/s/ C. CRANDLE BRAY, CHAIRMAN

/s/ VIRGINIA BURTON GRAY, VICE CHAIRMAN

/s/ GERALD A. MATTHEWS, COMMISSIONER

/s/ J. CHARLEY GRISWELL, COMMISSIONER

/s/ CARL RHODENIZER, COMMISSIONER

ATTEST:

/s/ MARGARETTE A. SWAIM

14. Motion by Commissioner Rhodenizer, second by Commissioner Matthews, to authorize the Chairman to execute the following Georgia Department of Transportation documents; and, authorize the Finance Director to amend the budget according to said documents:

Right-of-Way Agreement
Project Number PR-39-1(63), C1
Trammel Road and Panhandle Road
1.11 miles of sidewalk

Contract
Project Number PR-1345-1(63)C1
Flat Shoals Road
1 mile of sidewalk

Aviation Contract
Airport Project Number AP010-9100-03(063)
Clayton County Airport - Tara Field
Repairs and improvements

Vote unanimous.

15. Appointments to the Building Board of Adjustments and Appeals. The terms of Mr. Jim Oliver, Sr. and Mr. Larry Adams expired August 7, 2000. New terms are for three (3) years; expiring August 7, 2003. (Mr. Oliver - Commissioner Rhodenizer)(Mr. Adams - Commissioner Matthews)

Commissioner Rhodenizer asked that his appointment be deferred.

Motion by Commissioner Matthews, second by Chairman Bray, to appoint Mr. Ray Rogerson to the Building Board of Adjustments and Appeals; term to commence immediately and expire August 7, 2003. Vote unanimous.

16. Appointment to the Library Board to complete the unexpired term of Mrs. Barbara McDonald; term to expire July 31, 2003. Mrs. McDonald resigned. (Full Board)

Motion by Chairman Bray, second by Commissioner Rhodenizer, to appoint Ms. Kathy Acree to the Library Board to complete the unexpired term of Mrs. Barbara McDonald; term to expire July 31, 2003. Vote unanimous.

17. Appointments to the Water Authority Board. The terms of Mr. Donald E. Whitman and Mr. Joe T. Lane expire February 28, 2001. New terms are for five (5) years; expiring February 28, 2006. (Commissioner Matthews and Commissioner Griswell)

Motion by Commissioner Matthews, second by Chairman Bray, to appoint Mr. J. Alan Horton to a five (5) year term on the Water Authority Board; term to begin on March 1, 2001 and expire on February 28, 2006. Vote unanimous.

Motion by Commissioner Griswell, second by Chairman Bray, to appoint Mr. Robbie L. Moore, Jr. to a five (5) year term on the Water Authority Board; term to begin on March 1, 2001 and expire on February 28, 2006. Vote unanimous.

18. Appointments to the Development/Redevelopment Authority Board. The terms of Mr. Don Kiblinger and Mr. Roland Downing expire March 1, 2001. New terms are for six (6) years; expiring March 1, 2007. (Commissioner Griswell and Full Board)

Commissioner Griswell nominated Mr. Rudolph Johnson to be appointed to a six (6) year term on the Development/Redevelopment Authority Board; term to commence on March 1, 2001 and expire March 1, 2007. There were no further nominations forthcoming. Mr. Johnson was appointed to the Development/Redevelopment Authority Board.

Chairman Bray nominated Mr. Roland Downing to be reappointed to a six (6) year term on the Development/Redevelopment Authority Board; term to commence on March 1, 2001 and expire March 1, 2007. There were no further nominations forthcoming. Mr. Downing was reappointed to the Development/Redevelopment Authority Board.

Commissioner Griswell stated that Mr. Rudolph Johnson will resign from the Hospital Authority in light of his appointment to the Development/Redevelopment Authority Board. Commissioner Griswell asked that the Board of Commissioners consider an appointment to the Hospital Authority to complete the unexpired term of Mr. Johnson.

Motion by Commissioner Griswell, second by Chairman Bray, to appoint Mr. Joe T. Lane to the Hospital Authority to complete the unexpired term of Mr. Rudolph Johnson; term to commence immediately and expire October 31, 2003. Vote unanimous.

19. Appointments to the District III Emergency Medical Services Council. The terms of Carmelita Ferrone and Joe Shelnett expire June 30, 2001. New terms are for four (4) years; expiring June 30, 2005.

Motion by Chairman Bray, second by Commissioner Matthews, to reappoint Carmelita Ferrone and Joe Shelnett to four (4) year terms on the District III Emergency Medical Services Council; terms to expire June 30, 2005. Vote unanimous.

20. Motion by Commissioner Rhodenizer, second by Commissioner Griswell, to accept for maintenance by the County the streets in Biscayne Point, Unit Six (Bristol Overlook, Jervis Court, and Chaleur Point); and, Kendrick Estates, Unit One (Kendrick Estates Drive and Kendrick Estates Court). Vote unanimous.

21. Motion by Commissioner Matthews, second by Vice Chairman Gray, to approve street light petitions for District #13201A (Broadhurst Subdivision), District #06027D (Carnes Estates Subdivision), District #12105C (Creekwood Estates V), District #12185A (Falcon Crest I), and District #12151B (Waggoner Place, Phase I). Vote unanimous.

Motion by Chairman Bray, second by Commissioner Rhodenizer, to go into Executive Session to discuss pending legal matters. Vote unanimous.

The Board went into Executive Session in the Commissioners' Conference Room at approximately 10:07 a.m.

Motion by Commissioner Matthews, second by Chairman Bray, to adjourn the Executive Session. Vote unanimous.

The Executive Session adjourned at approximately 10:15 a.m. The Board reconvened in the Board Room at approximately 10:16 a.m.

Motion by Commissioner Matthews, second by Commissioner Griswell, to adjourn. Vote unanimous.

The Business Meeting adjourned at approximately 10:16 a.m.

CLAYTON COUNTY BOARD OF COMMISSIONERS

/s/ C. CRANDLE BRAY, CHAIRMAN

ABSENT

/s/ GERALD A. MATTHEWS, COMMISSIONER

/s/ J. CHARLEY GRISWELL, COMMISSIONER

/s/ CARL RHODENIZER, COMMISSIONER

ATTEST:

/s/ MARGARETTE A. SWAIM